

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Baumann et al.	Examiner:	NA
Serial No.: 08/718,377	Group Art Unit No.:	1614
Patent No.: 5,840,722		
Filing Date: September 30, 1996	Confirmation No. :	8202
Issue Date: November 24, 1998		

For:

USE OF CARBOXYLIC ACID DERIVATIVES AS DRUGS

**EXPRESS WITHDRAWAL OF APPLICATION FOR EXTENSION OF PATENT TERM**

Mail Stop Hatch-Waxman PTE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX – (571)-273-7728

Dear Sir:

Under the provisions of 37 CFR §1.770, Abbott GmbH & Co. KG, the owner of the entire right, title, and interest in United States Patent No. 5,840,722 and the Applicant in the Application for Extension of Patent Term of said patent under 35 USC §156 filed August 7, 2007, hereby expressly withdraws the Application for Extension of Patent Term for said patent. A Notice of Final Determination and Requirement for Election was mailed on February 23, 2010 in connection with the above patent, providing a one-month period for Applicant to make an election of a patent to have the extension issued. Therefore, Applicant submits that this express withdrawal is timely filed.

While no fees are believed to be owed in connection with the filing of this paper, authorization is given for the Commissioner to charge any fees incurred in connection with this patent to deposit account number 50-1662.

**Polsinelli Shughart**

160 N. Clark Street, Suite 4200  
Chicago, Illinois 60601 USA  
(312) 873-3632  
lmueeller@polsinelli.com

Date:

Direct telephone calls to:

Respectfully submitted,

/Lisa V. Mueller, Reg. No. 38,978/

Lisa V. Mueller  
Attorney for Applicant  
Reg. No. 38,978  
March 22, 2010

312.873.3632